



Monday, February 23, 2015

House Budget & Research Office
(404) 656-5050

House Communications Office
(404) 656-0305

- The House will reconvene for its 21st Legislative Day on Tuesday, February 24 at 10:00 a.m.
- The Rules committee will meet at 9:00 a.m.
- Seven bills and one resolution are expected to be debated on the floor.

Today on the Floor

Rules Calendar

HB 70 State symbols; designate gray fox as official state mammal

Bill Summary: House Bill 70 designates the whitetail deer as the official state mammal.

Authored By: Rep. Carolyn Hugley (136th)

House Committee: Special Rules

Floor Vote: Yeas: 163 Nays: 2

Rule Applied: Structured

Committee: 02-11-2015 Do Pass by Committee

Action: Substitute

Amendments:

HB 121 Elections; write-in candidacy filings to include authorization by candidate if not done by candidate; require notice

Bill Summary: House Bill 121 is a housekeeping bill for the Secretary of State's Office. It reflects the recommendations by the Georgia Elections Advisory Council.

Authored By: Rep. Mark Hamilton (24th)

House Committee: Governmental Affairs

Floor Vote: Yeas: 169 Nays: 0

Rule Applied: Modified-Structured

Committee: 02-11-2015 Do Pass

Action:

Amendments:

HB 177 Social services; school personnel required to report child abuse shall be notified by child protective agency upon receipt of report and completion of investigation; provide

Bill Summary: This bill requires that within 24 hours of a school employee making a report of suspected child abuse, the agency which receives the report must acknowledge in writing to the reporting individual that the receiving agency has received that report. Further, after the agency has completed the investigation, that agency is required to disclose in writing, within five days, whether the agency confirms or un-confirms that child abuse has occurred to the school counselor or the principal.

Authored By: Rep. David Wilkerson (38th)

House Committee: Juvenile Justice

Floor Vote: Yeas: 171 Nays: 0

Rule Applied: Modified-Open

Committee: 02-12-2015 Do Pass

Action:

Amendments:

Next on the Floor from the Committee on Rules

The Committee on Rules has fixed the calendar for the 21st Legislative Day, Tuesday, February 24, and bills may be called at the pleasure of the Speaker. The Rules Committee will next meet on Tuesday, February 24, at 9:00 AM, to set the Rules Calendar for the 22nd Legislative Day.

HB 199 Timber harvesting; require notice only in an approved form; provisions

Bill Summary: House Bill 199 amends Part 1A of Article 1 of Chapter 6 of Title 12, relating to timber harvesting and removal requirements, by changing the timing notices to local governing authorities, clarifying the bond requirement, and stating that no county shall require a fee for receiving a notification of a timber harvest. The bill requires that all persons or firms harvesting standing timber provide notice, to the proper county or municipal governing authority, of the harvesting operation prior to entering onto the property if possible but not later than 24 hours upon entering onto the property and within 24 hours after the harvesting is completed. The bill also states that only one bond shall be required in each county regardless of the number of tracts being harvested so long as the bond remains in effect; otherwise a valid replacement bond must be obtained and provided to the governing authority within five business days.

Authored By: Rep. John Corbett (174th)
House Committee: Natural Resources & Environment

Rule Applied: Modified-Open
Committee Action: 02-19-2015 Do Pass by Committee Substitute

HB 206 Uniform rules of the road; procedure for passing sanitation vehicles; provide

Bill Summary: House Bill 206 relates to the general provisions relative to uniform rules of the road and is amended by adding a new Code provision that states that the operator of a motor vehicle approaching a vehicle with active sanitation workers that is displaying flashing yellow, amber, white, or red lights shall approach the vehicle with due caution and shall, absent any other direction by a peace officer, proceed as follows:

- (1) Make a lane change into a lane not adjacent to the vehicle; or
- (2) If lane change is not possible, reduce the speed of the motor vehicle to a reasonable and proper speed for the existing road and traffic conditions, which speed shall be at least ten miles per hour less than the posted speed limit, and be prepared to stop.

Authored By: Rep. Brett Harrell (106th)
House Committee: Public Safety & Homeland Security

Rule Applied: Modified-Structured
Committee Action: 02-19-2015 Do Pass

HB 217 Investments; public retirement systems to invest in mutual funds, commingled funds, collective investment funds, common trusts, and group trusts; authorize

Bill Summary: HB 217 amends O.C.G.A. 20-2-83 relating to the certified and uncertified forms of investment and real estate investment under the Public Retirement System Standards. The bill expands the list of allowable investments that can be used for public retirement funds to include mutual funds registered with the Securities and Exchange Commission, under the Investment Company Act of 1940 and commingled funds and collective investment funds regulated by the Office of the Comptroller of the Currency of the United States Department of Treasury, including common and group trusts. HB 217 has been certified as a nonfiscal retirement bill by the Georgia Department of Audits and Accounts.

Authored By: Rep. Howard Maxwell (17th)
House Committee: Retirement

Rule Applied: Open
Committee Action: 02-18-2015 Do Pass by Committee Substitute

HB 256 Georgia Firefighters' Pension Fund; provide new definitions; provisionsBill Summary:

HB 256 amends O.C.G.A. 47-27-1 relating to the Georgia Firefighters' Pension Fund. The bill does the following:

- Defines active member, inactive member, retired member, suspended member, and withdrawn member;
- Modifies the structure of the Board;
- Allows a member to select up to five beneficiaries for optional benefits or for death benefits of an active member;
- Increases the maximum fine for false statements from \$500 to \$2,000;
- Authorizes the board to order a member to forfeit all rights and benefits entitled to under the Fund if they make false statements, obtain benefits they are not entitled to receive, or obtain an amount than they are entitled to receive beginning on or after July 1, 2015;
- Clarifies that a member's break in service greater than 30 days must meet certain criteria for active status to be reinstated;
- Details that an active member who leaves may file for a leave of absence in which the member would become inactive and would be required to reapply for a leave of absence every two years; and,
- Explains that an inactive member may be reinstated as an active member provided they meet the eligibility criteria for membership.

HB 256 has been certified as a nonfiscal retirement bill by the Georgia Department of Audits and Accounts.

Authored By: Rep. Howard Maxwell (17th)
House Committee: Retirement

Rule Applied: Open
Committee 02-18-2015 Do Pass
Action:

HR 304 Georgia's technical schools, colleges and universities; expand gerontology and dementia education and training; encourage

Bill Summary: House Resolution 304 encourages Georgia's technical schools, colleges, and universities to expand gerontology and dementia education and training to address the growing needs of an aging population.

Authored By: Rep. Sharon Cooper (43rd)
House Committee: Higher Education

Rule Applied: Open
Committee 02-17-2015 Do Pass
Action:

Committee Actions

Bills passing committees are reported to the Clerk's Office and are placed on the General Calendar.

Health & Human Services Committee

HB 183 Home Care Patient Protection Act; enact

Bill Summary: HB 183 revises the definition of private home care provider to include contractual arrangements with licensed independent contractors.

Authored By: Rep. David Knight (130th)

House Committee: Health & Human Services

Committee Action:

02-23-2015 Do Pass by Committee Substitute

HB 362 Student health; licensed health practitioners to prescribe albuterol sulfate for schools; authorize

Bill Summary: HB 362 allows school systems to stock asthma medication. Any school employee trained in recognizing symptoms of respiratory distress may provide the medication or administer it to a student. This bill also allows schools to purchase asthma medication directly from manufacturers and allows physicians to prescribe the medication to schools.

Authored By: Rep. Valerie Clark (101st)

House Committee: Health & Human Services

Committee Action:

02-23-2015 Do Pass by Committee Substitute

HB 394 Georgia Board of Nursing; revise provisions relating to powers and duties; provisions

Bill Summary: HB 394 authorizes the Georgia Board of Nursing to investigate disciplinary orders issued by the former Georgia Board of Examiners of Licensed Practical Nurses. Additionally, this bill allows those individuals who have graduated from a nursing education program located outside of the United States to be eligible for licensure as a registered professional nurse.

Authored By: Rep. Sharon Cooper (43rd)

House Committee: Health & Human Services

Committee Action:

02-23-2015 Do Pass

HB 436 Georgia HIV/Syphilis Pregnancy Screening Act of 2015; enact

Bill Summary: HB 436 requires a physician or health care provider to offer to test a pregnant woman for HIV and syphilis during her third trimester of pregnancy.

Authored By: Rep. Valerie Clark (101st)

House Committee: Health & Human Services

Committee Action:

02-23-2015 Do Pass

HR 302 Congress of the United States; enact significant reforms to nation's federally financed graduate medical education programs and to provide states with additional resources to meet the health workforce needs of the future; urge

Bill Summary: HR 302 urges the Congress of the United States to enact reforms to the nation's federally financed graduate medical education programs and to provide states with additional resources to meet the health workforce needs of the future.

Authored By: Rep. Butch Parrish (158th)

House Committee: Health & Human Services

Committee Action:

02-23-2015 Do Pass

Judiciary Non-Civil Committee

HB 1 **Haleigh's Hope Act; enact**

Bill Summary: This section redefines what constitutes marijuana. Although the *meaning* of “marijuana” stays the same, the bill adds substantially to the substances that *do not* constitute marijuana. First, the bill provides that the term “marijuana” does not include marijuana stalks with no leaves, fibers produced from stalks, oil, or cake including cannabinal or cannabidol. Second, the bill provides that the term “marijuana” does not include derivatives, products, samples and oils of industrial hemp as defined by federal law. Finally, this section states that the term “marijuana” does not include extracted cannabinal or cannabidol, provided that: (1) such oil is prescribed to persons diagnosed with one of several conditions, (2) such oil does not contain an amount of THC that exceeds 5 percent of the total contents of such oil, and (3) such oil contains an amount of cannabidol not less than one part of the total amount of THC. If the person is 18 years or younger, the THC content in the oil cannot exceed 3 percent.

Section 1-3

This section redefines Tetrahydrocannabinols. The bill provides that the term does not include cannabinal product in an extracted oil form that is prescribed to persons diagnosed with one of several conditions and does not contain more than five percent THC or, with regards to persons 18 or younger, does not contain more than three percent THC. Regardless of age, the oil must also contain at least as much cannabidiol as THC.

Section 2-2

This section creates the Georgia Commission on Medical Cannabis Regulation (the “Comission”) for the purpose of studying effective means to legalize and regulate medical *cannabis*. The Commission is responsible for establishing plans to create a program that oversees all aspects (licensing, distribution, security, etc.) of the medical cannabis industry.

The Commission is made up of 15 members, all of whom are appointed by the Governor. The Commission membership must include the following: a member of the Senate, a member of the House, a certified oncologist, a certified epitologist, a certified pediatric neurologist, an attorney familiar with cannabis laws, an individual experiences with the medical cannabis business, a director (or designee of director) of an independent analytical laboratory, a sheriff, a police chief, an individual or the parent of an individual who may benefit from medical cannabis treatment, a pharmacist, the Governor’s executive counsel or his/her designee, the director (or designee of director) of the Governor’s Office for Children and Families, and the Commissioner of Agriculture or his designee.

Except for members of the General Assembly, who serve until their current terms are completed, all members serve two-year terms. A member may be appointed to succeed himself or herself, and members who are elected officials will be removed if and when they no longer serve. Finally, a chairperson of the commission is designated by the governor, and other officers may be elected by the commission. The Chairperson has the power to appoint committees and other persons to perform functions he or she deems necessary. The Chairperson does not vote unless it is to break a tie.

The commission is attached for administrative purposes only to the Governor’s Office for Children and Families, and that Office may use any funds specifically appropriated to it to support the commission.

Meetings of the Commission and Compensation

The commission meets at the call of the Chairperson and is required to meet at least four times per year. A majority of the members constitutes a quorum for transacting business. Legislative members receive allowances provided for in Code Section 28-1-8. Other state officials or employees do not receive compensation, but will be reimbursed for expenses incurred in performance of their duties as members of the commission. Citizen members receive daily expense allowance of \$105.00 and transportation allowance authorized for state employees.

Duties of the Commission

The commission must establish recommendations regarding the regulation of medical cannabis

including which departments will oversee the licensing, cultivation, production and dispensing of medical cannabis. The Commission must also submit a report by December 31, 2015 to Governor's executive counsel, the office of Planning and Budget, the Senate/House Appropriations Committee and the Senate/House Judiciary, Non-Civil Committee. The report will outline issues with regulating or medical cannabis and any proposed legislation the commission deems necessary. The committee must also evaluate and consider medical cannabis legislation in other states and the most effective legal means to immunize medical cannabis patients and physicians, as well as those involved in the production and dispensing of medical cannabis.

Powers of the Commission

The commission has the power to, evaluate how state laws affecting medical cannabis should operate, request and review data from state agencies, accept grants, enter into contracts through chairperson, establish rules for conducting business of the commission, conduct studies, hold public meetings, collect data, or any other action necessary to fulfill responsibilities.

The commission is also authorized to retain the service of professionals deemed appropriate by the commission.

Section 3-1

Finally, the bill creates a Medical Cannabis Patient Registry within the Department of Public Health. The registry will provide a card to adult patients or minor patient's parent who have been diagnosed with the requisite conditions and are being treated for such with the legal cannabiniol as provided for in the bill. The persons being treated must provide the department with a letter from their physician stating that the patient has been diagnosed with one of the requisite conditions. The department is tasked with establishing rules and regulations for dispensing cards to persons who qualify. All records received by the department under this bill are confidential, but may be disclosed upon request of a registered person.

Authored By: Rep. Allen Peake (141st)

House Committee: Judiciary Non-Civil

Committee Action: 02-23-2015 Do Pass by Committee Substitute

HB 71 Pardons and paroles; provide input and transparency relative to granting a parole or commutation of a death sentence to a life sentence; provisions

Bill Summary:

This bill imposes several requirements on the State Board of Pardons. First, it changes procedures for notifying a victim of an impending parole, pardon, release of an inmate, or request to commute a death sentence. The bill also allows information regarding a person who has previously been paroled but whose civil rights have been restored to be released publicly. Next, the bill requires that a written decision granting a pardon or commuting a death sentence contain certain additional information. The bill also requires that the Board, when considering any case within its power, to consider certain additional information about the person in question. Finally, it requires the Board to release certain information upon request and adds to the list of information required to be disclosed.

Authored By: Rep. Kevin Tanner (9th)

House Committee: Judiciary Non-Civil

Committee Action: 02-23-2015 Do Pass by Committee Substitute

HB 103 Kelsey's Law; enact

Bill Summary: This bill makes it a crime (misdemeanor) to intentionally cause a minor to be identified as someone in an obscene depiction in a way that a reasonable person would conclude that the person in the image was the minor. This includes giving the minor's name, address, telephone number, or email address. This also includes the electronic imposing of the minor's face onto an obscene depiction. If the violation involves an individual who resides in the state of Georgia, the person will be subject to prosecution even if their conduct took place outside of the state. If the conduct takes place within the state, the person will be subject to prosecution even if it involves an individual who resides outside the state. The prohibition does not apply to law enforcement activities when investigating crimes or when the identification and image is made in anticipation of

litigation. Also, the bill contains a non—merger of offenses clause

Authored By: Rep. D. C. Belton (112th)
House Judiciary Non-Civil
Committee:

Committee 02-23-2015 Do Pass by Committee
Action: Substitute

Motor Vehicles Committee

HB 69 Motor Vehicle Event Data Recorder Act; enact

Bill Summary: House Bill 69, also known as the ‘Motor Vehicle Event Data Recorder Act,’ specifies the owner of the data captured by an event data recorder and who may legally obtain the recorded data. “Event data” means records of one or more of the following categories of information: vehicle air bag deployment; vehicle speed; vehicle steering performance; vehicle brake performance or use; or vehicle seatbelt status or use.

The owner of the event data is defined as one of the following:

- (i) a person having all the incidents of ownership of the motor vehicle;
- (ii) a person entitled to possession of a motor vehicle as the purchaser under a security agreement;
- (iii) or a person entitled to possession of a motor vehicle as a lessee under a written lease agreement if the lease agreement is intended to last for more than three months.

Recorded event data is private and is personal information of the motor vehicle’s owner, but may be retrieved, obtained, or used by someone who is not the owner under the following circumstances:

- (i) the owner of the vehicle or the owner’s agent consents to the retrieval of the data;
- (ii) motor vehicle dealers/manufacturers or automotive technicians to diagnose and repair problems with the motor vehicle;
- (iii) event data is subject to discovery in a criminal prosecution;
- (iv) a court or administrative agency having jurisdiction orders the data to be retrieved;
- (v) retrieved by law enforcement officers in order to investigate accidents resulting in damage of property or injury to a person; or
- (vi) to facilitate or determine the need for emergency medical care for the driver or passenger of a motor vehicle involved in an accident.

Any person knowingly retrieving, obtaining, or using event data that is recorded on an event data recorder in violation of this Code section shall be guilty of a misdemeanor.

Authored By: Rep. Jason Spencer (180th)
House Motor Vehicles
Committee:

Committee 02-23-2015 Do Pass by Committee
Action: Substitute

HB 118 Drivers' licenses; issuance of commercial licenses and instruction permits to comply with federal law; amend certain provisions

Bill Summary: House Bill 118 is a housekeeping bill for the Department of Driver Services. It is required to be in compliance with the Federal Motor Carrier Statute. Failure to pass may result in the loss of federal highway funds.

Authored By: Rep. Kevin Tanner (9th)
House Motor Vehicles
Committee:

Committee 02-23-2015 Do Pass
Action:

HB 147 Motor vehicles; initial two-year registration period for certain vehicles; provide

Bill Summary: House Bill 147 allows for a two year registration period for motor vehicles within the 16 counties of Georgia that require federal emission inspections.

Authored By: Rep. Alan Powell (32nd)
House Motor Vehicles
Committee:

Committee 02-23-2015 Do Pass by Committee
Action: Substitute

HB 169 Motor vehicles; temporary operating permit when vehicle fails to pass federal emissions standards and certain conditions have been satisfied; provide

Bill Summary: House Bill 169 provides for a 30-day temporary operating permit when a vehicle fails to pass federal emissions standards. Proof of valid insurance is still required.

Authored By: Rep. Micah Gravley (67th)
House Committee: Motor Vehicles

Committee Action: 02-23-2015 Do Pass

HB 210 Drivers' licenses; provide for dissemination of certain information by the Department of Driver Services; provisions

Bill Summary: House Bill 210 allows for organ donation on state issued I.D. cards.

Authored By: Rep. Terry Rogers (10th)
House Committee: Motor Vehicles

Committee Action: 02-23-2015 Do Pass by Committee Substitute

HB 325 Safety belts; definition of term passenger vehicle; modify

Bill Summary: House Bill 325 includes 15 passenger vans in the definition of passenger vehicles as it relates to safety belts in passenger vehicles.

Authored By: Rep. Bill Hitchens (161st)
House Committee: Motor Vehicles

Committee Action: 02-23-2015 Do Pass by Committee Substitute

Committee Meeting Schedule

This meeting schedule is up to date at the time of this report, but meeting dates and times are subject to change.

To keep up with the latest schedule, please visit www.house.ga.gov and click on [Meetings Calendar](#).

Tuesday, February 24, 2015

10:00 AM	FLOOR SESSION (LD 21) - HOUSE CHAMBER
7:00 AM	House Appropriations Subcommittees- FY 16 - 341 CAP (See Agenda for Detailed Schedule)
9:00 AM	RULES - 341 CAP
1:00 PM	Pak Subcommittee of Judiciary Non-Civil - 406 CLOB
2:00 PM	Sales Tax Subcommittee of Ways & Means - 133 CAP
2:00 PM	Local Government Subcommittee of Governmental Affairs - 606 CLOB
2:00 PM	Property & Casualty Subcommittee of Insurance - 515 CLOB
2:00 PM	REGULATED INDUSTRIES - 506 CLOB
2:00 PM	ENERGY, UTILITIES & TELECOMMUNICATIONS - 403 CAP
2:30 PM	JUDICIARY CIVIL - 132 CAP
2:30 PM	State Government Administration Subcommittee of Governmental Affairs - 606 CLOB
3:00 PM	Setzler Subcommittee of Judiciary Non-Civil - 506 CLOB
3:00 PM	Labor Management Subcommittee of Industry & Labor - 406 CLOB
3:00 PM	BANKS & BANKINGS - 341 CAP
3:30 PM	Workers Compensation Subcommittee of Industry & Labor - 406 CLOB
4:00 PM	HIGHER EDUCATION 403 CAP
4:30 PM	Jacobs Subcommittee of Judiciary Civil - 132 CAP (or Upon Adjournment of Full Judiciary Civil)